RECEIVED
CENTRAL FAX CENTER
NOV 09 2007

# JENKINS, WILSON, TAYLOR & HUNT, P.A.

PATENT ATTORNEYS

SUITE 1200 UNIVERSITY TOWER
3100 TOWER BOULEVARD
DURHAM, NORTH CAROLINA 27707
TELEPHONE: (919) 493-8000
FACSIMILE: (919) 419-0383

WEBSITE: WWW.JENKINSWILSON.COM

**DATE:** November 9, 2007

**TO:** U.S. Patent and Trademark Office
**ATTN: Examiner Nirmal Singh Basi**

**FAX NO.:** (571) 273-8300

**FROM:** Arles A. Taylor, Jr. (llk)

**RE:** Serial No. 10/505,316; Atty. Docket No. 1242/50/2 PCT/US

NUMBER OF PAGES TO FOLLOW: 27

**If transmission is poor, or if you do not receive all pages, please call (919) 493-8000 as soon as possible.**

COMMENTS:

Attachments:

1. Transmittal Letter (1 pg.);
2. A Response to Restriction/Election Requirement and Preliminary Amendment (24 pgs.); and
3. An Preliminary Amendment Transmittal Form (2 pgs.).

The information contained in this facsimile message is **ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION** intended only for the use of the individual or entity named as recipient. If the reader is not the intended recipient, be hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by phone and return the original message to us at the address shown above via the U.S. Postal Service. Thank you.

JENKINS
WILSON
TAYLOR
& HUNT

patent attorneys

November 9, 2007

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 9, 2007.

Laura Kiefer
Date of Signature 11-9-07

RICHARD E. JENKINS
JEFFREY L. WILSON
ARLES A. TAYLOR, JR.
GREGORY A. HUNT
BENTLEY J. OLIVE
CHRIS PERKINS, PH.D.
DAVID M. SIGMON
KIRBY A. TURNER
WESLEY A. SHEFFIELD
SCOTT C. MAYHEW
BENJAMIN J. AITKEN
K. JAY KLINCK
LAURA L. KIEFER, PH.D.

PATENT AGENTS
AMY ODENBAUGH, PH.D.
LEON LEGLEITER, PH.D.

*LICENSED ONLY IN GA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/505,316 for CLONING AND CHARACTERIZATION OF SLC26A7 AND SLC26A9 ANION EXCHANGERS
Our Ref. No. 1242/50/3 PCT/US

Sir:

Please find enclosed in connection with the subject U.S. patent application the following documents:

1. A Response to Restriction/Election Requirement and Preliminary Amendment (24 pages); and

2. Preliminary Amendment Transmittal Form (2 pages).

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. **50-0426**.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Arles A. Taylor, Jr.
Registration No. 39,395
Customer No.: 25297

AAT/llk

Enclosures



PAGE 2/28 * RCVD AT 11/9/2007 6:25:05 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/4 * DNIS:2738300 * CSID: * DURATION (mm-ss):06-50

RECEIVED
CENTRAL FAX CENTER
NOV 09 2007

**Practitioner's Docket No. 1242/50/2 PCT/US** *PATENT*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mount et al.
**Serial No.: 10/505,316**
Filed: April 12, 2005
Confirmation No.: 2379
For: CLONING AND CHARACTERIZATION OF SLC26A7 AND SLC26A9 ANION EXCHANGERS

Group Art Unit: 1646
Examiner: Basi, Nirmal Singh
Docket No.: 1242/50/3 PCT/US

**Commissioner for Patents**
**P.O. Box 1450**
**Alexandria, VA 22313-1450**

**PRELIMINARY AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is a small entity.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

---

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10***
*(When using Express Mail, the Express Mail label number is **mandatory**;*
*Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**
☐ with sufficient postage as first class mail.

**37 C.F.R. § 1.10***
☐ as "Express Mail Post Office to Addressee"
Mailing Label No._____ **(mandatory)**

**TRANSMISSION**

■ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: November 9, 2007

Signature

Laura Kiefer Laura Kiefer
*(type or print name of person certifying)*

** Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*



PAGE 3/28 * RCVD AT 11/9/2007 6:25:05 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/4 * DNIS:2738300 * CSID: * DURATION (mm-ss):06-50

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

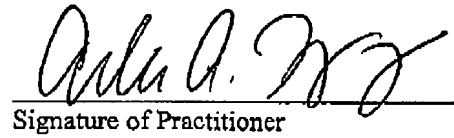
| | (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | | (Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR | | (Col. 3) PRESENT EXTRA | | OTHER THAN A SMALL ENTITY RATE | | ADDIT. FEE |
|---|---|---|---|---|---|---|---|---|---|
| TOTAL | 69 | - | 69 | = | 0 | x | $ 25.00 | = | $ 0.00 |
| INDEP. | 26 | - | 26 | = | 0 | x | $ 105.00 | = | $ 0.00 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | | + | $ 0.00 | = | $ 0.00 |
| | | | | | | | TOTAL ADDIT. FEE | | $ 0.00 |

Total additional fee for claims required $0.00

## FEE PAYMENT

5. The Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0426.

Date: November 9, 2007



Signature of Practitioner
Arles A. Taylor, Jr.
Jenkins, Wilson, Taylor & Hunt, P.A.
Suite 1200 University Tower
3100 Tower Boulevard
Durham, NC 27707

Reg. No.: 39,395
Tel. No.: 001-919-493-8000
Customer No.: 25297



PAGE 4/28 * RCVD AT 11/9/2007 6:25:05 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/4 * DNIS:2738300 * CSID: * DURATION (mm-ss):06-50

RECEIVED
CENTRAL FAX CENTER
NOV 09 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service by facsimile to (571) 273-8300 on November 9, 2007.

Laura Kiefer

Date of Signature November 9, 2007

# PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mount et al.

Group Art Unit: 1646

**Serial No.: 10/505,316**

Examiner: Basi, Nirmal Singh

Filed: April 12, 2005

Docket No.: 1242/50/3 PCT/US

Confirmation No.: 2379

For: CLONING AND CHARACTERIZATION OF SLC26A7 AND SLC26A9 ANION EXCHANGERS

* * * * * * * * * * * * *

## RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Restriction/Election Requirement dated October 9, 2007, having a 1-month term for Response that will expire on November 9, 2007. Favorable consideration is respectfully requested in view of the following Election and Remarks.